

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA LEE REDDING,

Plaintiff,

v.

JORDAN BALETO, et al.,

Defendants.

CASE NO. C23-5430 MJP

ORDER DENYING MOTION FOR
RECONSIDERATION

This matter comes before the Court on Plaintiff's Motion for Reconsideration of the Court's Order Adopting the Report and Recommendation (Dkt. No. 67) and Motion for Documents (Dkt. No. 66). Having reviewed the Motions, which it construes as both Objections to the Report and Recommendation and a request for reconsideration of the Order adopting the Report and Recommendation, and all supporting materials, the Court DENIES the Motions.

BACKGROUND

After the Court issued an Order adopting the Report and Recommendation (R&R), Plaintiff filed a request for extension. (Dkt. No. 63.) The Court then granted Plaintiff's request

1 and allowed him additional time to file objections to the R&R and a motion for reconsideration
2 of the Court's order adopting the R&R. (Dkt. No. 64.) Plaintiff then filed a Motion for
3 Documents (Dkt. No. 66) and a Motion for Reconsideration (Dkt. No. 67).

4 ANALYSIS

5 A. Legal Standards

6 The Court reviews de novo those portions of a magistrate judge's report and
7 recommendation to which a party properly objects. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P.
8 72(b)(3). A party properly objects when he or she files "specific written objections" to the
9 magistrate judge's report and recommendation as required under Federal Rule of Civil Procedure
10 72(b)(2).

11 "Motions for reconsideration are disfavored." Local Civil Rule 7(h)(1). "The court will
12 ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or
13 a showing of new facts or legal authority which could not have been brought to its attention
14 earlier with reasonable diligence." Id.

15 B. No Merit to Objections

16 The Court finds no merit in Plaintiff's objections to the R&R. First, Plaintiff asks the
17 Court to "take a closer look at the evidence," though he admits he has "not been able to produce
18 documents" that support his claims. (Dkt. No. 67 at 1.) Specifically, Plaintiff argues that his ribs
19 were broken during the incident in question, and were not injured in a bicycling collision that
20 occurred approximately a month before. (Id. at 1-2.) But as the R&R explained, "[e]ven factoring
21 in the injuries Plaintiff appears to have suffered during the use of force incident, there is simply
22 no evidence that Defendants' actions were undertaken with the intent to cause Plaintiff harm."
23 (R&R at 14.) In other words, even if the Court accepts Plaintiff's argument that his ribs were
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1 broken during the incident, he has not identified any evidence that Defendants' intended to cause
2 him harm. This is fatal to his claim. Second, although Plaintiff has asked for additional
3 documents, he has not specified what those documents are or why they would show a genuine
4 issue of fact that would preclude summary judgment in Defendants' favor. The Court therefore
5 **OVERRULES** the Objections and **DENIES** the Motion for Reconsideration. This matter shall
6 remain terminated.

7 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

8 Dated August 12, 2024.

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10 Marsha J. Pechman
11 United States Senior District Judge
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